



November 9, 1999

Mr. James J. Savage  
Assistant County Attorney  
County of Harris  
1019 Congress, 15<sup>th</sup> Floor  
Houston, Texas 77002-1700

OR99-3165

Dear Mr. Savage:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 130097.

The Harris County Precinct Four Constable received a request for information pertaining to particular incident. You seek to withhold the information responsive to the request under section 552.108 of the Government Code.

Section 552.108(a)(1) excepts from required public disclosure

(a) Information held by a law enforcement agency or prosecutor  
that deals with the detection, investigation, or prosecution of crime . . .  
if:

(1) release of the information would interfere with the  
detection, investigation, or prosecution of crime[.]

You advise that the requested information relates to a pending investigation. Based on your representations, we conclude that, except as noted below, you may withhold the information responsive to the request under section 552.108(a)(1).

Section 552.108 does not except from required public disclosure "basic information about an arrested person, an arrest, or a crime." Gov't Code § 552.108(c). Because you have raised no other exception to disclosure, you must release these types of information in accordance with *Houston Chronicle Publishing Company v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App.--Houston [14th Dist.] 1975), *writ ref'd n.r.e. per curiam*, 536 S.W.2d 559 (Tex. 1976).

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "William Walker", with a long horizontal flourish extending to the right.

William Walker  
Assistant Attorney General  
Open Records Division

WMW/ljp

Ref: ID# 130097

Encl. Submitted documents

cc: Mr. James S. Walker  
Walker & Hunter, P.C.  
Attorneys at Law  
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Houston, Texas 77056-3405  
(w/o enclosures)